

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ROBERT HUNTER MOORE, SP 2013-MA-070 Appl. under Sect(s). 8-922 of the Zoning Ordinance to permit reduction of certain yard requirements to permit construction of addition 17.9 ft. from a front lot line. Located at 6317 Eppard St., Falls Church, 22044, on approx. 17,413 sq. ft. of land zoned R-3. Mason District. Tax Map 51-3 ((11)) 13. Ms. Theodore moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on December 4, 2013; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The Board has a favorable staff recommendation.
3. The Board supports those findings.
4. The Board has not heard of any concerns from neighbors or adjacent homeowners.
5. The staff report reflects that the proposal to replace the existing carport with the garage meets the various applicable Zoning Ordinances.
6. The proposed conditions do address tree protection and other issues.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. These conditions shall be recorded by the applicant among the land records of Fairfax County for this lot prior to the issuance of a building permit. A certified copy of the recorded conditions shall be provided to the Zoning Permit Review Branch, Department of Planning and Zoning.
2. This special permit is approved for the location and size of the garage addition (663 square feet), as shown on the plat titled "Special Permit Plat, Lot 13, Section 1, Sleepy Hollow Manor," prepared by Larry N. Scartz, L.S., of Scartz Surveys dated February 7, 2013, as revised through March 20, 2013, as submitted with this application and is not transferable to other land.

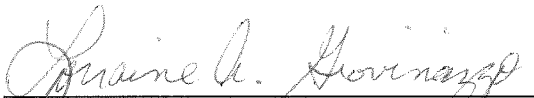
3. Pursuant to Paragraph 4 of Section 8-922 of the Zoning Ordinance, the resulting gross floor area of an addition to the existing principal structure may be up to 150 percent of the gross floor area of the dwelling that existed at the time of the first expansion (2,122 square feet existing + 3,183 square feet (150%) = 5,305 square feet maximum permitted on lot) regardless of whether such addition complies with the minimum yard requirement or is the subject of a subsequent yard reduction special permit. Subsequent additions that meet minimum yard requirements shall be permitted without an amendment to this special permit.
4. Prior to commencement of, and during the entire construction process, the applicant shall install tree protection fencing at the drip lines of existing small landscape trees and at the drip line of the existing large deciduous tree located southwest of the dwelling in the front yard, to protect these trees from construction activities. The protective fencing shall remain intact during the entire construction process, and shall be the maximum limit for clearing and grading. The applicant shall monitor the site to ensure that an inappropriate activity, such as the storage of construction equipment, does not occur within the area.
5. The addition shall be generally consistent with the architectural renderings and materials as shown on Attachment 1 to these conditions.
6. The extension of the asphalt driveway to accommodate a new two-car garage shall be generally consistent with the drawing contained in Attachment 2.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, 30 months after the date of approval unless construction has commenced and has been diligently prosecuted. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Smith seconded the motion, which carried by a vote of 7-0.

A Copy Teste:



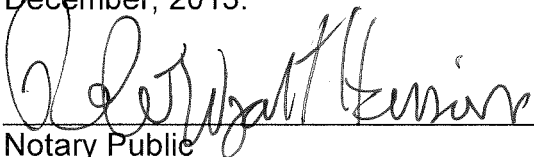
Lorraine A. Giovinazzo, Deputy Clerk
Board of Zoning Appeals

ACKNOWLEDGEMENT

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 12 day of

December, 2013.


Notary Public

My commission expires: 9-30-2017



Moore Residence
6317 Eppard St.
Falls Church, Va.

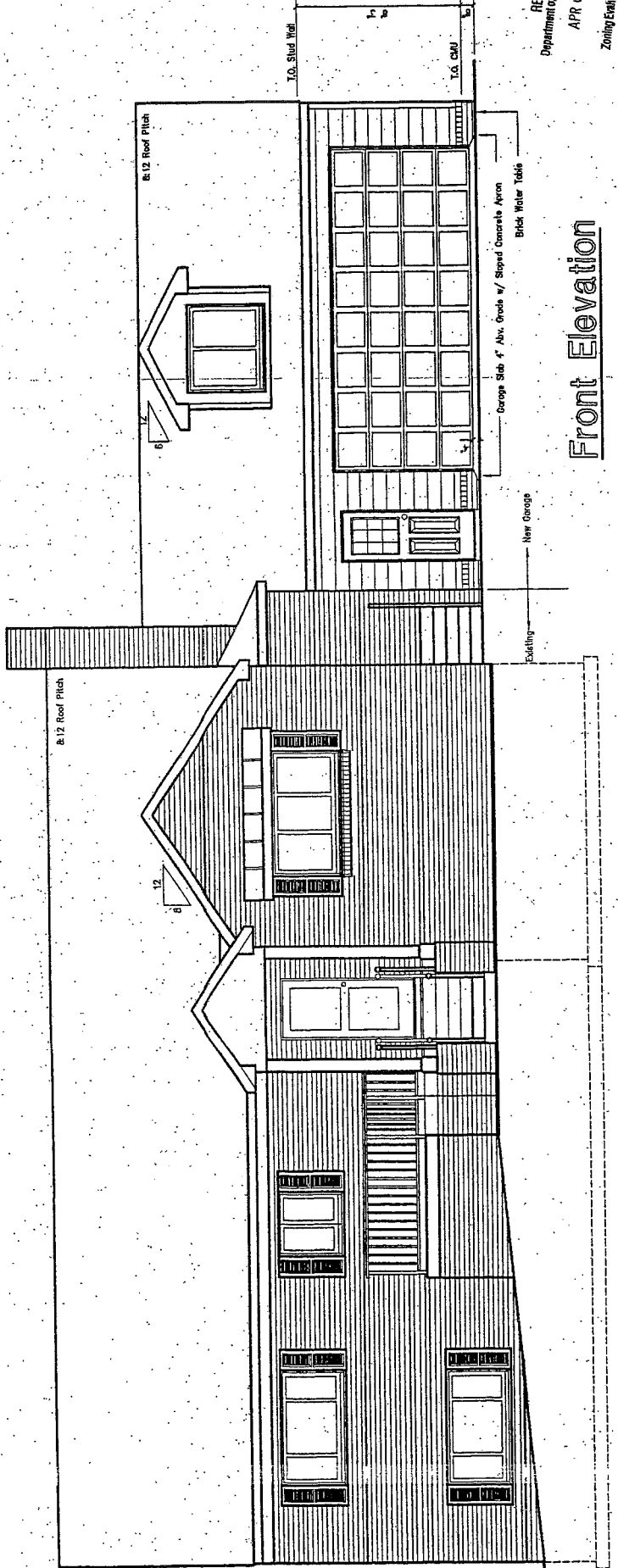
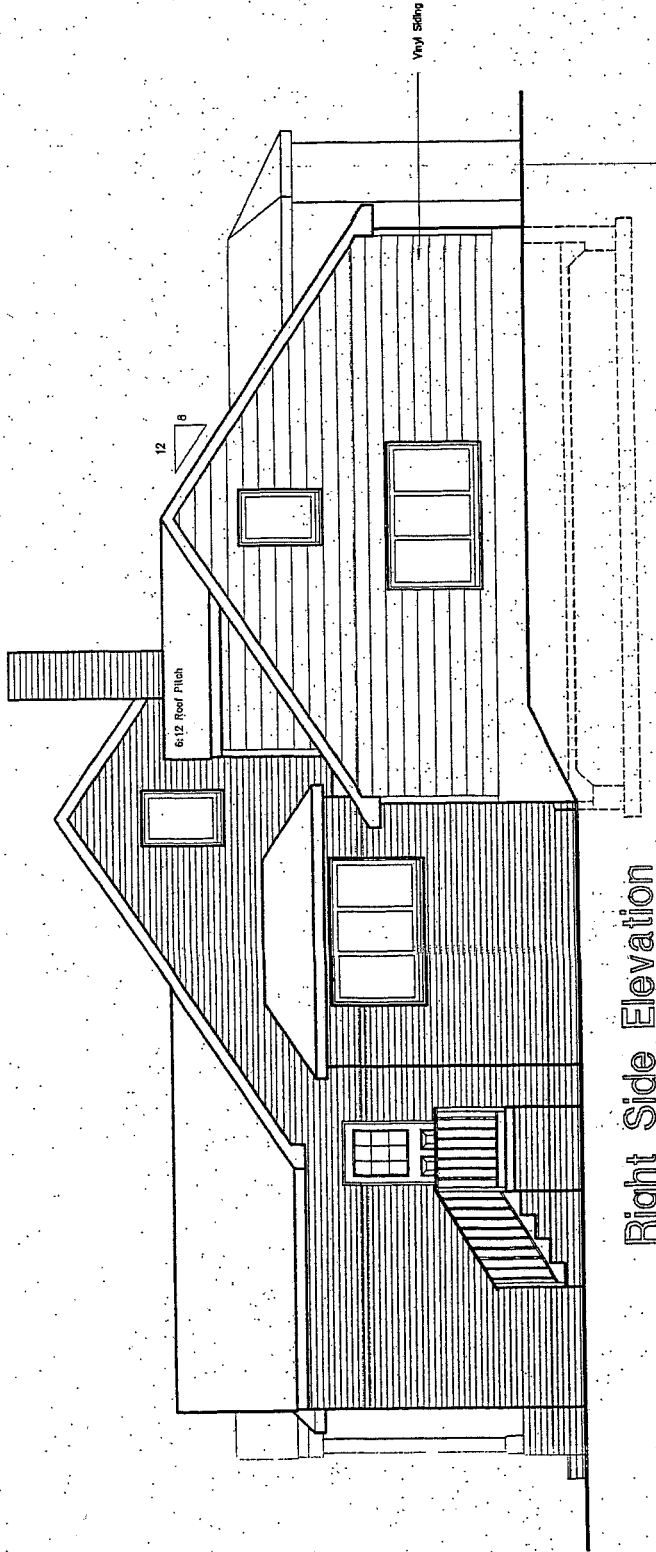
Simon & Associates, LLC
312 W. Juniper Ave. Sterling, Va. 20164
Phone: 703-617-0488
Fax: 703-404-0207

Permit
Set

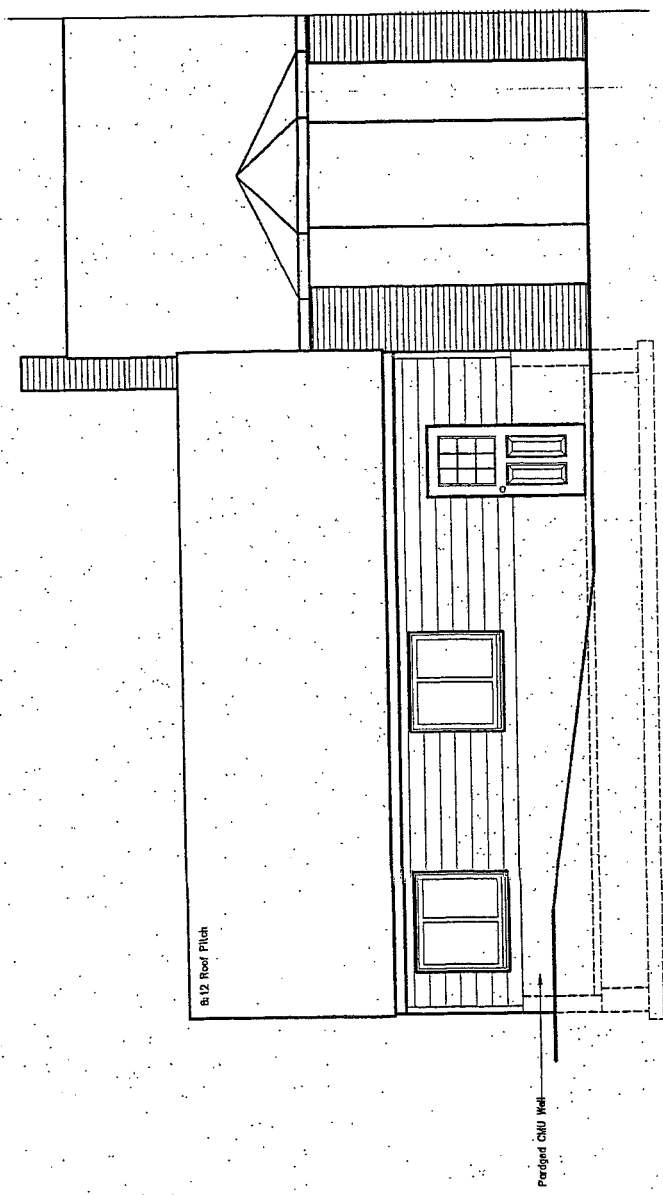
ATTACHMENT 1

RECEIVED
Department of Planning & Zoning
APR 03 2013
Zoning Evaluation Worksheet

William Simon - Contractor

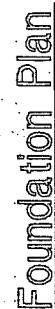
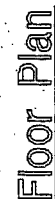


Rear Elevation



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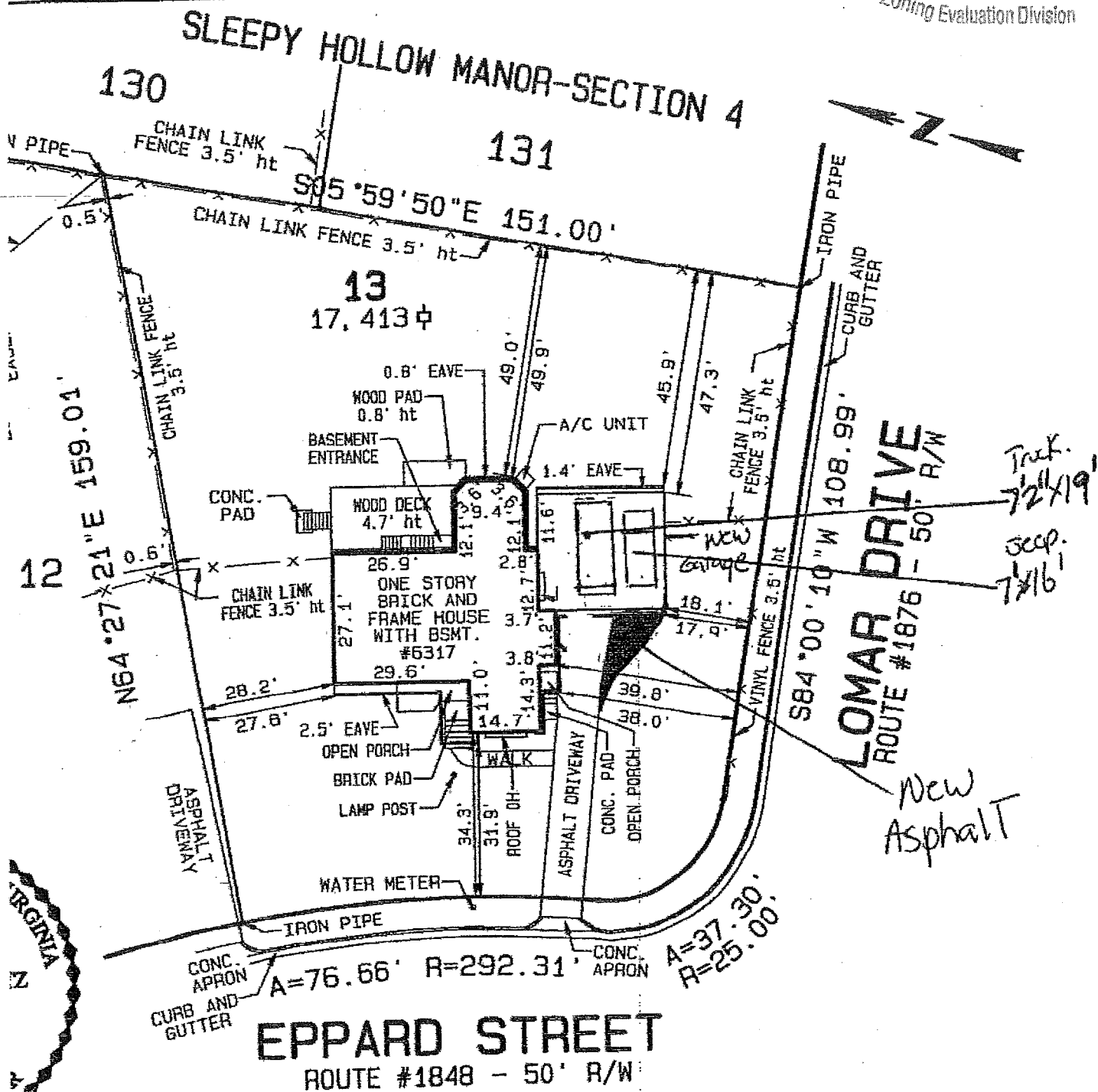


Department

NOV 21 2013

ENT AND IS VALID FOR SIX MONTHS FROM DATE ISSUED.
 ADS SET FORTH IN VIRGINIA CODE SECTION 54.1-407.

Zoning Evaluation Division



SPECIAL PERMIT PLAT
 LOT 13, SECTION 4

SLEEPY HOLLOW MANOR

MASON MAGISTERIAL DISTRICT
 FAIRFAX COUNTY, VIRGINIA

SCALE: 1"=30'

DATE: FEBRUARY 7, 2013